IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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uv 0 3 1997 in a application of:

AWFORD and LINDENSTRUTH

Serial No. 08/795,592

Filed: February 6, 1997

For: Apparatus and Method for Managing

Digital Resources by Controlling Tokens Associated with Digital

Resources

Attorney Docket No. A-63739/WSG

## PETITION UNDER 37 C.F.R. § 1.47(a)

Assistant Commissioner of Patents and Trademarks Washington, D.C. 2023 l

Sir:

The undersigned attorney makes this petition on behalf of The Regents of the University of California, a California Corporation, (hereinafter "The Regents"), assignee of the subject application. The undersigned is empowered to file this petition and the accompanying declaration on behalf of The Regents pursuant to the Power of Attorney filed herewith.

One of the inventors has signed a declaration and assignment for the captioned invention. The recalcitrant inventor, Volker Lindenstruth, has refused to sign a standard declaration and standard assignment. The standard declaration and standard assignment are of the form and content used by The Regents in its patent applications. The other co-inventor, Henry J. Crawford, executed the standard declaration and standard assignment. The recalcitrant inventor has insisted on material alterations to the standard declaration and standard assignment. The Regents have determined that the material alterations to the standard declaration and standard assignment limit or jeopardize their rights in the invention. Thus, Volker Lindenstruth's position is tantamount to a refusal to join in the prosecution of the captioned patent application.

The accompanying declarations will more fully establish the pertinent facts in this case. Namely, it will be shown that Volker Lindenstruth invented the subject matter of this application while employed by The Regents, is obligated pursuant to his contractual obligation

with The Regents to assign to the Regents any of his rights to any inventions made in the course of his employment, and in violation of his contractual obligations, has refused to cooperate in the prosecution of this application.

The present residential address of the recalcitrant inventor is as follows:

Volker Lindenstruth 8754 Terrace Drive El Cerrito, CA 94530

The granting of this request for acceptance of this application under 37 C.F.R. § 1.47 is respectfully requested. A fee of \$130 pursuant to 37 C.F.R. § 1.17(h) is enclosed herewith.

Respectfully submitted,

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

By:

William S. Galliani Registration No. 33,885

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